THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10294 OF 2007

DATED 04th JULY, 2007

BETWEEN

Karri Nageshwar Rao and others.

… Petitioners

AND

The District Collector, Khammam District, Khammam and another.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10294 OF 2007

ORDER:

The five petitioners are residents of Gannavaram, Hamlet of Krishnavaram Village of Bhadrachalam Mandal, Khammam District. They allegedly purchased agricultural lands in survey Nos.54/3B (Acs.1.05); 28/1 & 2 (Acs.3.09); 27/2 (Acs.4.15); 30/2A (Acs.2.47) and 28/3 (Acs.3.55) of Krishnavaram Village. The second respondent initiated action under A.P.Land Encroachment Act, 1905 (the Act, for brevity). After receiving notices under Section 7 of the Act, the petitioners submitted explanations. The matter is still pending with the second respondent. In the meanwhile, it is alleged, on 03.05.2007, second respondent visited the lands and directed the petitioners to handover the lands. Therefore, they filed the instant writ petition seeking appropriate declaration and direction.

In spite of granting sufficient time, learned Assistant Government Pleader for Revenue (General-T) is not able to get instructions from the respondents. Therefore, the writ petition is disposed of observing that unless and until the Tahsildar passes an order under Section 6 of the Act duly considering the representations/explanations submitted by the petitioners, they cannot be disposed.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

04.07.2007.

Note: Issue order copy by 09.07.2007.

(By order)

pln